

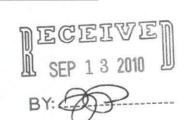
The Town of Elsmere

11 Poplar Avenue, Elsmere, Delaware 19805 Phone (302) 998-2215 Fax (302) 998-9920

Application for Hearing

	Board of Adjustment			
	Planning Commission			
	Petition # 10 09 Filing Fee. 300 Date Received 9133010 Received by:			
Mayor	Subject Property: 1107 Kirkwood Highway			
Deborah A. Norkavage	Property is: Residential		ommercial	
1st District Councilman John Jaremchuk Jr.	Tax Parcel # 1900400058	_Zoning District: C	ommunity Commercial	
2 nd District Councilman	Applicant name:	CLEAR WIRE		
Steven Burg	Address: c/o Princeton Tower, 156 Tamarack Circle Telephone # 717-732-1665			
^{Brd} District Councilman President Pro-Tempor	City: Skillman	State: NJ	Zip Code: 08558	
Thomas S. Novak Jr.	Application for Planning Commissio	n Review of: N/A		
4 th District Councilman Charles McKewen	Application for Zoning Variance Rel		19 (C), Special Exception Use	
District Councilwoman	Front yard setback	Lo	ot Coverage	
Secretary of Council Joann I. Personti	Rear yard setback	Fe	encing	
5 th District Councilman	Side yard setback	☐ Pa	arking requirements	
John Pasquale Jr.	Lot Area	Si	gnage	
Town Treasurer Paul Chalfant	Application for Special Exception Use Permit for the following use: INSTALLATION OF WIRELESS COHMUNICATIONS ANTENNAS AND GROUPD EQUIPMENT			
City Solicitor	Application for Appeal of an Administrative decision: N/A			
Edward McNally		Date: N/		
	For the following reasons: N/A			
	Application for relief other than show	a: NI/A		
	Application for relief other than above	c. IN/A		

A Council – Manager Municipality Located on the Net at townofelsmere.com



State reasons for this request: INSTALLATION OF WIRELESS ANTENNAS
EQUIPMENT AS DEPICTED IN THE CLEAR WIRELESS DOAWINGS ATTACHED TO THIS APPLICATION.
Has a previous application for this property been filed with the Town? Yes No
If yes, Petition # 09-08 (THIS IS THE PREVIOUS METIZU PCS APPLICATION NUMBER.)
If the applicant is not the Legal Owner of the property:
Legal owner information:
Name: Elsmere Fire Company No. 1
Address: 1107 Kirkwood Highway Telephone # 302-996-0600
Address: 1107 Kirkwood Highway Telephone # 302-996-0600 City: Wilmington State: DE Zip Code: 19805
Please submit the following with this petition:
 A copy of a plot plan showing the following: location of the property; a diagram showing the layout, size, and location of existing structures on the property; a diagram showing the layout, size, and location of any proposed structures on the property.
 A copy of any deed restrictions on the property. NOTE: THE BOARD OF ADJUSTMENT OR PLANNING COMMISSION CANNOT APPROVE ANY APPLICATION PROHIBITED BY DEED RESTRICTIONS.
• Filing fee, payable to the Town of Elsmere.
The undersigned hereby certifies that the legal owner of the subject property is aware of, and agrees to the filing of this application, that the information submitted herein is correct, and agrees to be bound by any decision of the Town of Elsmere Board of Adjustment with respect to the subject property.
NOTE: The legal owner or his/her authorized representative must sign this form.
Applicant's Signature: Multiple Con BEHALF OF WIRDESS, LLL Date: 8/30/2010
Applicant's Signature: Not below on senter of signature: 8/30/2010 Legal Owner's Signature: RESIDENT Date: 9/01/2010
In addition to the persons listed above please send copies of all correspondence to:
Name: N/A
Address: N/A Telephone # N/A
City: N/A State: N/A Zip Code: N/A

Site Analysis Petition 10-09

Property Owner:

Elsmere Fire Company

Zoning District: CC

Address:

1107 Kirkwood Hwy

Parcel No.: 1900400058

Primary Use: Commercial

LOT COVERAGE CALCULATIONS

Lot Area in Sq. Ft.:

n/a Sq. Ft.

Allowable Lot Coverage:

n/a Sq. Ft. (30 %)

Total Coverage:

Sq. Ft. (%)

Residence=Front Porch =

Sq. Ft.

Garage=Driveway=

Sq. Ft.

❖ Driveway=❖ Rear Patio=

Sq. Ft. Sq. Ft.

Proposed Addition:

n/a Sq. Ft.

Proposed Total:

n/a

Sq. Ft. (%)

Conclusion:

Required Setbacks:

Front:

Rear:

Existing Setbacks:

Front:

Side:

Rear:

Side:

Both Sides:

Both Sides:

Proposed Setbacks:

Front:

Rear:

Side:

Both Sides:

Conclusion:

STATEMENT OF FACT

Wireless Communications equipment is a "Public Utility" use and therefore a special exception use permit is required for a "Community Commercial" district.

ISSUE

Special exception use permits require a public hearing by the Board of Adjustment.



Elsmere Fire Company #1 President: Joseph Leonetti 1107 Kirkwood Highway Wilmington, DE 19805 cell: 302-275-9768

The Town of Elsmere 11 Popular Ave. Elsmere, DE 19805 302-998-2215

August 31st, 2010

Re: Parcel 19-004.00-058 deed restrictions

To whom it may concern,

Parcel 19-004.00-058 is owned by the Elsmere Fire Company #1. There are no deed restrictions on this parcel that prohibit the use of this parcel in the manner Clear Wireless, LLC intends to utilize the parcel. This information is being provided to the Town of Elsmere in conjunction with Clear Wireless, LLC's application for a Special Exception Use Permit under Chapter 225-19 of the Town of Elsmere's zoning code.

Clear Wireless is proposing to install wireless antennas and equipment onto the existing tower

located at 1107 Kirkwood Highway.

Thank You,

Joseph Leonetti

President of Elsmere Fire Company #1